PUBLIC GUARDIAN AND TRUSTEE OF BRITISH COLUMBIA

Child and Youth Guardianship Services

PUBLIC GUARDIAN
AND TRUSTEE OF
BRITISH COLUMBIA

2012/2013 Report

VALUES

Seven major values underpin the work of the Public Guardian and Trustee (PGT) and are reflected in all aspects of PGT performance:

INNOVATION
We challenge ourselves to seek new and improved ways to deliver service and assist clients.
STAFF SUPPORT
We acknowledge staff as our greatest resource and recognize and appreciate their expertise, professionalism and commitment.
INTEGRITY
We act in accordance with the highest ethical, legal and personal standards.
CLIENT CENTRED SERVICE
We constantly strive to provide quality customer service to our clients who are the focus of our services.
OPENNESS
We demonstrate responsibility and transparency to clients, government and the public through annual statutory public reporting on all aspects of our performance.
TEAMWORK
We work with one another and with service partners in striving for seamless service delivery.
RESPECT
We treat clients, their family and friends in a courteous, respectful manner.

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INTRODUCTION

This is the fifth annual report regarding child and youth property guardian services provided by the Public Guardian and Trustee (PGT). The purpose of this report, which covers the period April 1, 2012 to March 31, 2013, is to describe the PGT's services, key activities and outcomes related to supporting children and youth in continuing care of the province of British Columbia. The report also outlines the emerging opportunities and challenges related to serving children and youth as property guardian.

While the PGT served approximately 19,000 children and youth in a variety of roles, the focus of this report is on the 5,924 children and youth for whom the PGT acted as property guardian. Over the year, the PGT secured more than $800,000 in financial benefits, $2 million from legal actions, and managed 473 Registered Disability Savings Plans (RDSPs) valued at almost $2.4 million on behalf of its property guardian clients.

The PGT received 613 critical incident reports from the Ministry of Children and Family Development (MCFD) and Delegated Aboriginal Child And Family Service Agencies (DAAs) and identified any financial or legal issues requiring attention. As a result, 97 incidents of injury or harm were referred to in house legal counsel for further review, investigation, and potential action.

The PGT implemented new tools and training guides to further promote child and youth financial literacy and staff were provided with facilitation skills training. PGT staff also collaborated with a number of public, private and non profit partners in the areas of financial literacy and transition planning for youth leaving care.

As part of its future direction, the PGT is investigating ways to gain more timely access to MCFD records concerning its child and youth clients in order to be in the position to fulfill its property guardianship duties. The PGT continues to promote law reform initiatives such as modernizing the definition of public guardianship in provincial law, and seeking enactment of provisions that ensure all children in care have the full benefit of effective property guardians.

MESSAGE FROM THE PUBLIC GUARDIAN AND TRUSTEE

I am pleased to issue this fifth annual report on Child and Youth Guardianship Services, which describes the work of the PGT on behalf of children and youth in continuing care. It is a privilege to serve as property guardian for these children and youth, many of whom have endured difficult personal and family circumstances and challenging childhood experiences. The work of the PGT is to protect the legal and financial interests of these young clients and by doing so to hopefully create the potential for a brighter future for them.

This year's report has a broader focus than earlier reports. In previous years, the report dealt primarily with the PGT's response to critical incident reports concerning children and youth in care. While this year's report continues to provide information about this important work, the report also includes a more comprehensive description of all PGT key activities related to serving as property guardian, including such matters as acting as trustee of an education assistance fund and providing financial literacy training to youth as they leave care.

Over the last six years, the legal work conducted by the PGT has resulted in the recovery of nearly $9 million by way of judgments or settlements on behalf of our property guardian clients. During the period, the PGT also established RDSPs for its eligible child and youth clients allowing them to take advantage of federal grants available to beneficiaries of registered plans. At March 31, 2013, the PGT administered $2,397,211 in RDSPs for our property guardian clients. In this reporting period, the PGT also distributed $17,900 in bursaries ranging from $900 to $2,000 each to 14 former youth in care from the PGT Educational Assistance Fund. The recipients of the bursaries were pursuing a wide variety of career and educational goals.

Overall, our work to secure financial benefits for our property guardian clients has resulted in an increase in clients with financial assets over the last six years. This means that more youth leaving care will have access to financial resources of their own, which can provide security and opportunities for them as independent young adults. In the circumstances it is incumbent upon the PGT, together with coguardians MCFD and the DAAs, to work in partnership to develop appropriate transitional services to youth leaving care so that these youth have the skills and supports they need and deserve to achieve their personal goals and have successful lives as adults.

In the coming years, the PGT will be examining the potential to provide a higher level of post majority services within our existing mandate and available resources. My office will also continue to advocate for law reform in the area of defining modern public guardianship so that the duties and responsibilities of public guardians are clearly stated in law and understood by all British Columbians. Much more work remains to be done to support the interests of children and youth in continuing care and to this end, I and all PGT staff look forward to building our capacity to provide quality property guardianship services and to strengthening our working relationships with our coguardians.

Catherine M. Romanko
Public Guardian and
Trustee

CHILD PROTECTION AND GUARDIANSHIP

The delivery of child protection and guardianship services in British Columbia involves the following public agencies, government bodies and courts. While all share the common goal of supporting children at risk, each has a unique role.

PUBLIC GUARDIAN AND TRUSTEE (PGT) As property guardian, protects the legal and financial interests of minor children; coguardian with MCFD and DAAs for children in continuing care.

MINISTRY OF CHILDREN AND FAMILY DEVELOPMENT (MCFD) As personal guardian, takes children at risk into care and ensures their day to day needs are met; is coguardian with the PGT for children in continuing care.

PROVINCIAL COURT OF BRITISH COLUMBIA With respect to matters of property guardian, the Provincial Court grants child protection orders, including continuing custody orders, may order transfer of guardianship, and adjudicates small claims involving personal injury.

SUPREME COURT OF BRITISH COLUMBIA With respect to matters of property guardian, the Supreme Court may hear matters of custody, property interests and claims for damages for personal injury.

PUBLIC GUARDIAN AND TRUSTEE (PGT)
MINISTRY OF CHILDREN AND FAMILY DEVELOPMENT (MCFD)
REPRESENTATIVE FOR CHILDREN AND YOUTH (RCY)
DELEGATED ABORIGINAL CHILD AND FAMILY SERVICE AGENCIES (DAAs)
PROVINCIAL COURT OF BRITISH COLUMBIA
SUPREME COURT OF BRITISH COLUMBIA
SELECT STANDING COMMITTEE ON CHILDREN AND YOUTH
CHILDREN'S FORUM

DELEGATED ABORIGINAL CHILD AND FAMILY SERVICE AGENCIES (DAAs) Aboriginal agencies with statutory delegated authority for child protective services for Aboriginal children and youth at risk as well as non statutory voluntary services; some DAAs have personal guardian responsibilities and are coguardian with the PGT for children in continuing care.

REPRESENTATIVE FOR CHILDREN AND YOUTH (RCY) The Representative is responsible for supporting children, youth, young adults and their families in dealing with the child and youth serving system, for advocating for improvements to the system and for providing oversight of public bodies that deliver services and programs to children and youth.

CHILDREN'S FORUM An information sharing forum for BC senior officials with an interest in child protection and related services; includes the PGT, MCFD, RCY, Chief Coroner, Provincial Health Officer and Ombudsperson.

SELECT STANDING COMMITTEE ON CHILDREN AND YOUTH A committee established by the BC Legislature to provide legislative oversight on provincial services to children.

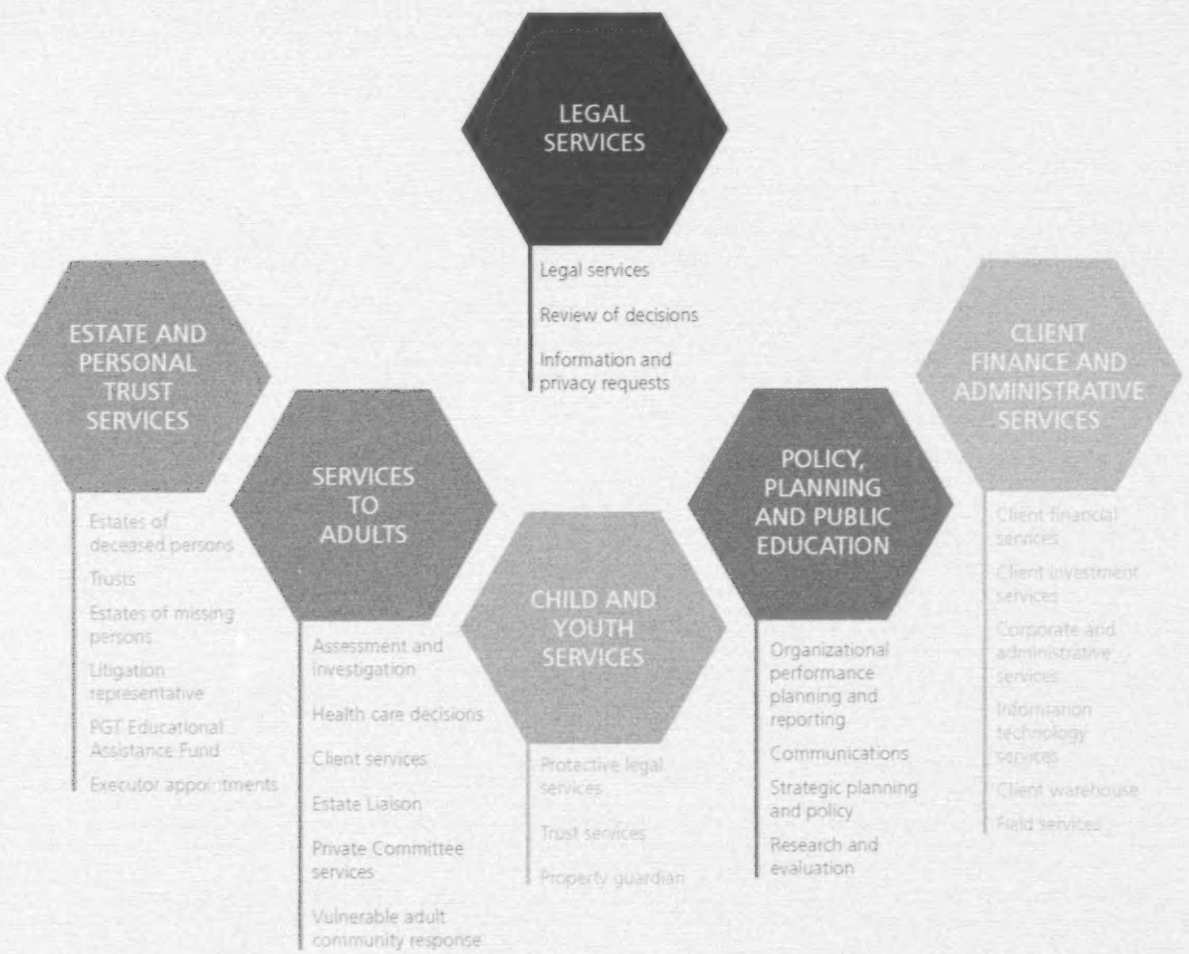
PGT OVERVIEW

The PGT is a corporation sole established under the *Public Guardian and Trustee Act* with a unique statutory role to protect the interests of British Columbians who lack legal capacity to protect their own interests. The mandate of the PGT is to:

- Protect the legal and financial interests of children under the age of 19 years;
- Protect the legal, financial and in some cases personal and health care interests of adults who require assistance in decision making; and
- Administer the estates of deceased and missing persons.

The PGT provides services with 250 dedicated staff. As of March 31, 2013, it managed $893 million of client assets and had served approximately 30,300 clients throughout 2012/2013. The PGT is largely funded by fees and commissions charged to clients and also receives voted funds from the BC provincial government.

PUBLIC GUARDIAN AND TRUSTEE
DIVISIONS OF RESPONSIBILITY



PGT CHILD AND YOUTH SERVICES

The PGT, through its **Child and Youth Services (CYS)**, acts on behalf of children and youth under a number of provincial laws. CYS responsibilities can be grouped into the three broad service categories of property guardian, trustee and protective legal reviews.

PROPERTY GUARDIAN As property guardian, the PGT protects the legal and financial interests of children and youth in the continuing care of the province, those undergoing adoption, orphans, and in some limited cases, children in temporary care.

5,924 CLIENTS in 2012/2013

TRUSTEE As trustee, the PGT invests and manages funds for children and youth from a number of different sources, including personal injury settlements or court awards, life insurance payments, inheritances and part of the wages paid to child and youth actors. Funds are typically held in trust until children and youth turn 19, but may be used earlier if it is in the best interests of the child or youth.

10,784 CLIENTS in 2012/2013

PROTECTIVE LEGAL REVIEWS In conducting protective legal reviews, the PGT reviews all proposed settlements of personal injury or *Family Compensation Act* and *Wills Variation Act* claims involving children and youth to ensure the settlements are in their best interests.

The most common claims relate to motor vehicle accidents. The PGT also investigates concerns about trusts and estates in which children or youth may have an interest.

3,398 CLIENTS in 2012/13

PGT guardianship duties and its trustee duties respecting children and youth may overlap in some cases where, for example, a child in continuing care is also the beneficiary of an estate. In such cases, the PGT is property guardian for the child and also acts as trustee in managing the funds.

PUBLIC GUARDIANSHIP SERVICES IN BC

When children lose their parents and have no one else to look after them, or when parents are no longer able to look after their children, the province assumes the duties of guardian. These children and youth are among the most vulnerable members of society. BC law splits the duties of public guardianship into two parts. The two types of public guardianship are:

- **PERSONAL GUARDIANSHIP** – the duty to find safe homes for children and youth and to make decisions about their personal and health care needs. This role is taken on by MCFD or DAAs.
- **PROPERTY GUARDIANSHIP** – the duty to look after the financial and legal interests of the children and youth. This role is performed by the PGT.

Guardianship duties are divided because of the inherent conflict of interest between the duties of the personal and property guardians. In some cases, protecting the legal and financial interests of a child or youth may require taking legal action against the coguardian in situations where coguardian negligence may have caused injury or loss to a child or youth.

PGT PROPERTY GUARDIANSHIP SERVICES

There are 45.8 PGT staff who are devoted to providing services to children and youth. Collaboratively, staff ensure that all financial benefits to which individual child and youth clients may be entitled are collected and legal issues are pursued. Staff conduct various activities in order to carry out these duties.

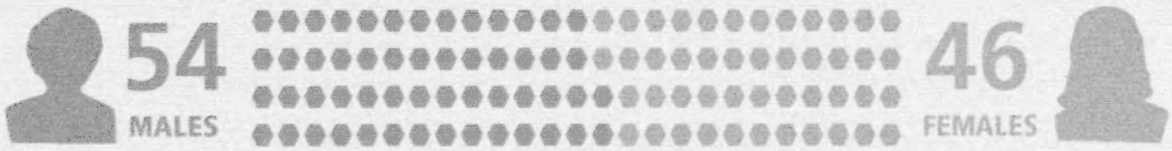
The PGT relies on information received from MCFD/DAAs in order to carry out many of its duties as property guardian. Information is received from MCFD/DAAs at different times and in a variety of ways. When a child or youth first comes into continuing care, staff request information from MCFD/DAAs regarding the child's current and past circumstances to determine if there are any financial or legal issues to pursue. The PGT also receives "initial reportable circumstances" from MCFD/DAAs, which the PGT refers to as critical incident reports (CIR), to review and potentially refer to legal counsel for further investigation and action.

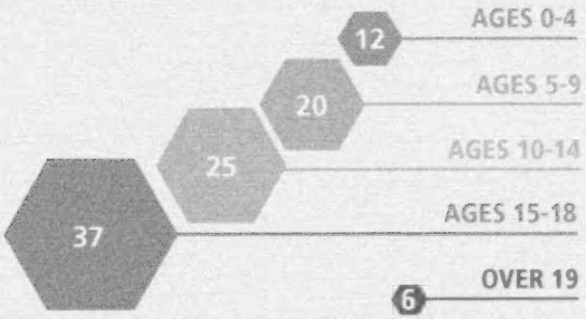
On a monthly basis, the PGT also receives basic demographic information from MCFD that assists the PGT in identifying clients who may be entitled to receive certain financial benefits. At least once each year and for each child or youth in care, the PGT shares with and requests more detailed information from MCFD/DAAs to support ongoing activities such as pursuing financial benefits, initiating legal actions and collaborating on transition services.

The PGT concludes its services when the child reaches 19 years of age or if the child is adopted, or if guardianship is transferred or the child is returned to the care of his/her parent(s). When services are ending, a complete review is conducted to ensure all necessary information and, where required, additional supports are in place with respect to the ongoing management of money or legal issues.

The following sections describe the key activities and outcomes for the year April 1, 2012 to March 31, 2013.

IF THE PGT PROPERTY GUARDIAN CLIENTS (AT MARCH 31, 2013) WERE IMAGINED AS A VILLAGE OF 100 CLIENTS, THEN:





*SERVED BY DAAs

NOTE: ALL DATA IN THIS REPORT IS DERIVED FROM PGT SOURCES, EXCEPT FOR INFORMATION REGARDING ABORIGINAL IDENTITY, WHICH IS PROVIDED BY MCFD.

Financial Services

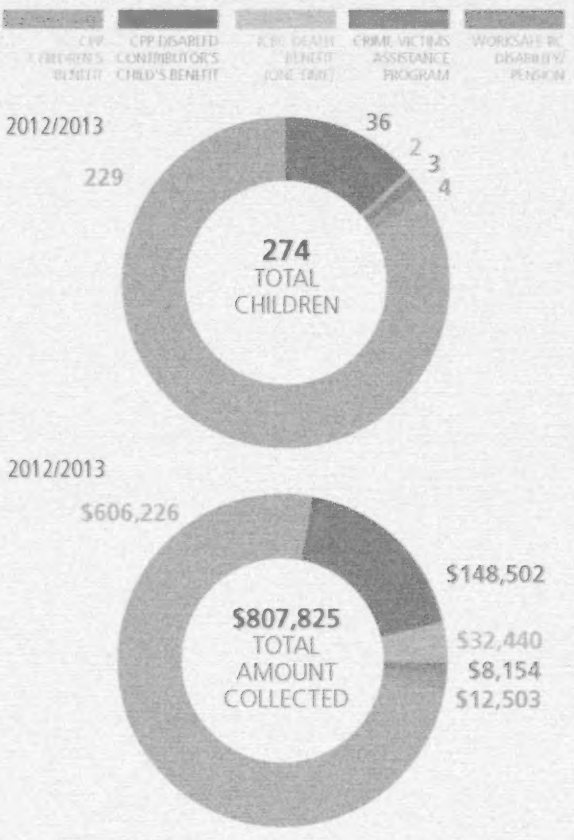
As noted earlier, the PGT's pursuit of financial entitlements and benefits is having a significant impact in generating financial assets for growing numbers of children and youth. A key example is the growth in assets associated with the PGT establishing RDSPs for eligible child and youth clients. RDSPs are tax deferred savings plans that offer significant long term benefit as they attract federal funds in the form of matching grants and payment of bonds. The grants may reach a lifetime limit of $70,000. In addition, the federal government contributes up to $1,000 per year by way of a bond, up to a lifetime maximum of $20,000.

Between 2008, when RDSPs were first made available to Canadians, and March 31, 2013, the PGT established 473 RDSPs for eligible children and youth clients valued at almost $2.4 million, an amount that will grow annually.

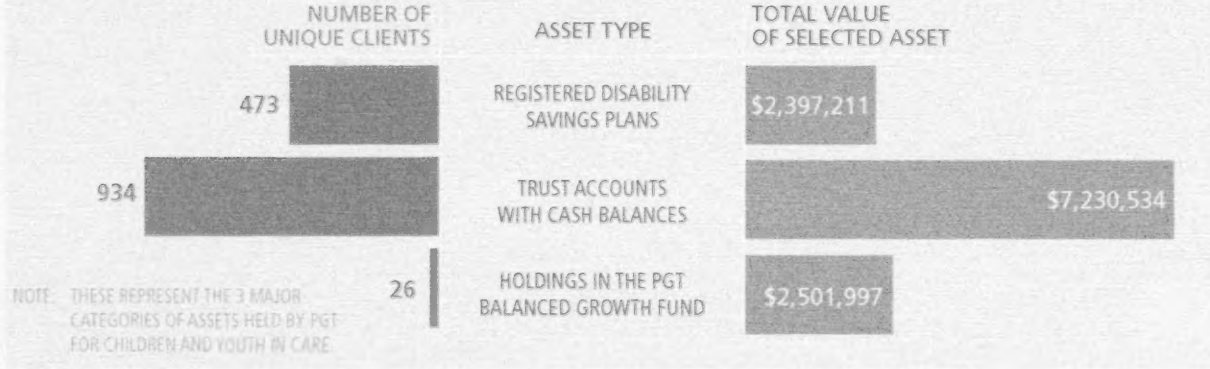
The PGT also collected more than $800,000 in other financial entitlements and benefits on behalf of 274 children and youth during 2012/2013. These financial resources were secured as the result of staff making inquiries and responding to information received from MCFD/DAAs and other third parties regarding children and youth who were eligible for benefits. Some of the benefits collected included federal, provincial and private pensions, death benefits and/or Aboriginal band benefits. In addition, the PGT recovered another $2 million for child and youth clients as a result of legal actions pursued on their behalf.

The PGT has made a number of improvements to streamline internal processes related to collecting financial benefits on behalf of children and youth in care. For example, as personal identification is a key element to securing financial benefits, the PGT now applies for birth certificates and social insurance cards for all children and youth in care. In 2012/2013, PGT staff applied for 3,632 birth certificate applications with BC Vital Statistics. The PGT also launched a Lean (continuous improvements)

FINANCIAL BENEFITS COLLECTED



MAJOR CATEGORIES OF ASSETS AT MARCH 31, 2013



project to streamline the application process for setting up RDSPs to ensure the work is carried out in a timely manner for the benefit of the PGT's child and youth clients.

Funds received and secured on behalf of children and youth as previously described are held in trust by the PGT until age 19. As personal guardian, MCFD and DAAs are primarily responsible for financially supporting these children and youth; therefore, disbursements from trust funds focus more on special opportunities than on day to day expenses. As a result, the funds remain largely intact for the child or youth for their use as adults.

Critical Incident Reports

The PGT receives notification from MCFD/DAAs of critical injuries and serious incidents involving children and youth in continuing care through critical incident reports (CIRs). The nature of the incidents described within the reports is varied, ranging from a child or youth leaving a foster home without permission, to a child being involved in a motor vehicle accident, to alleged abuse or harm of a child or youth. The discovery that a child has been injured could potentially lead to the PGT making a legal claim on behalf of the child or youth. In 2012/2013, 613 CIRs were received by the PGT involving 420 children and youth. Some of the children and youth were the focus of more than one CIR during the year. PGT staff act quickly to review CIRs as immediate action may be required to preserve the right to advance a legal claim.

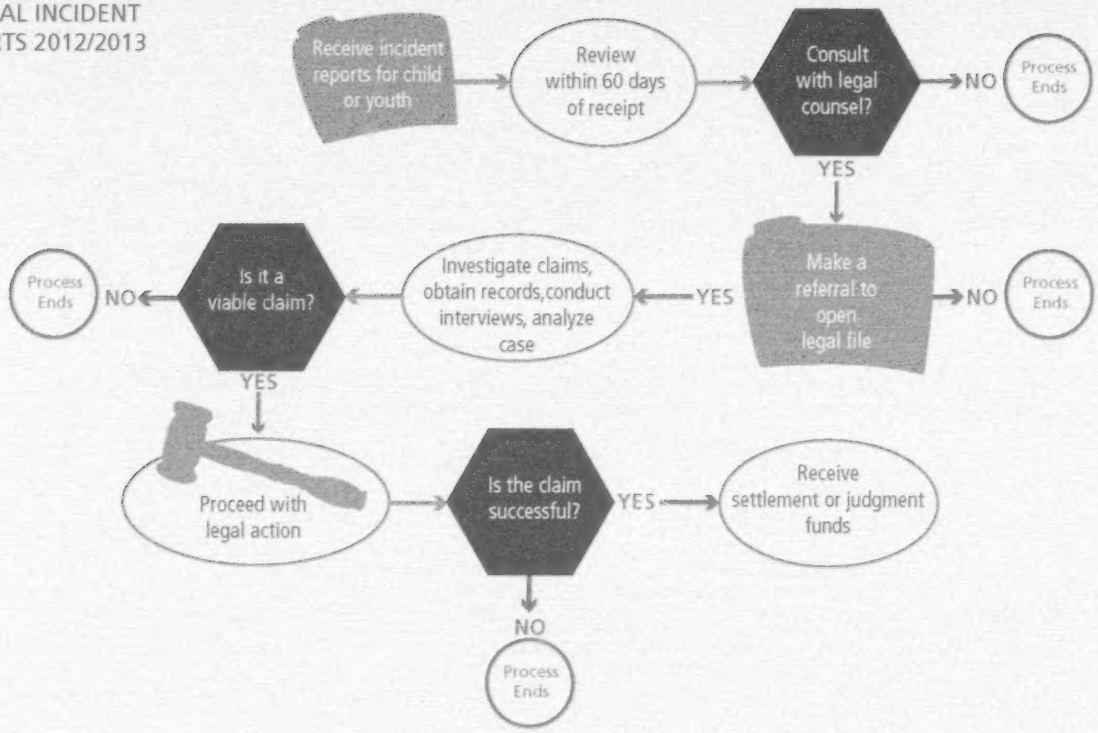
The PGT classifies the reported injury or harm according to categories adapted from the World Health Organization International Classification of Diseases. Where an injury was caused by a person who directly harmed a child or youth, the person is identified as an alleged harmer, and is classified according to categories adapted from the International Classification of External Causes of Injuries (see PGT Classification of Critical Incident Reports on page 17).

NUMBER OF CRITICAL INCIDENT REPORTS FOR UNIQUE CHILD OR YOUTH

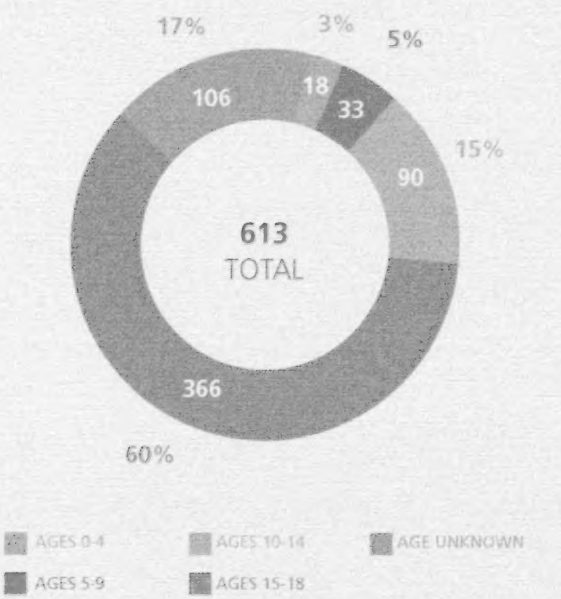
REPORTS RECEIVED	# OF CHILDREN	% OF CHILDREN
1	298	71%
2	76	18%
3	29	7%
4	14	3%
5	2	<1%
10	1	<1%
	420	100%

NOTE: SEE PGT CLASSIFICATION OF CRITICAL INCIDENT REPORTS.

PGT RESPONSE TO CRITICAL INCIDENT REPORTS 2012/2013

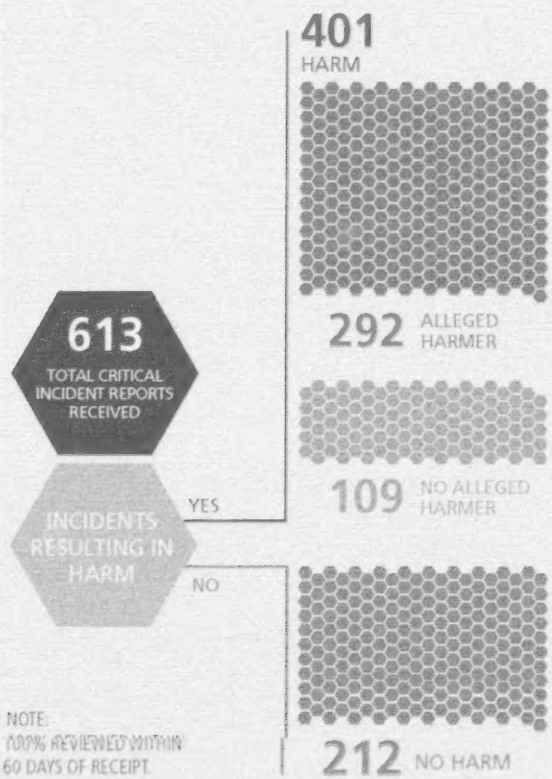


AGE OF CHILD OR YOUTH ON DATE OF INCIDENT 2012/2013



NOTE: "UNKNOWN" IS USED WHEN THE EXACT DATE OF THE INCIDENT IS UNKNOWN OR WHEN AN INCIDENT OCCURRED OVER A PERIOD OF TIME.

NUMBER OF CIRs THAT REPORTED HARM OR NO HARM TO A CHILD OR YOUTH 2012/2013



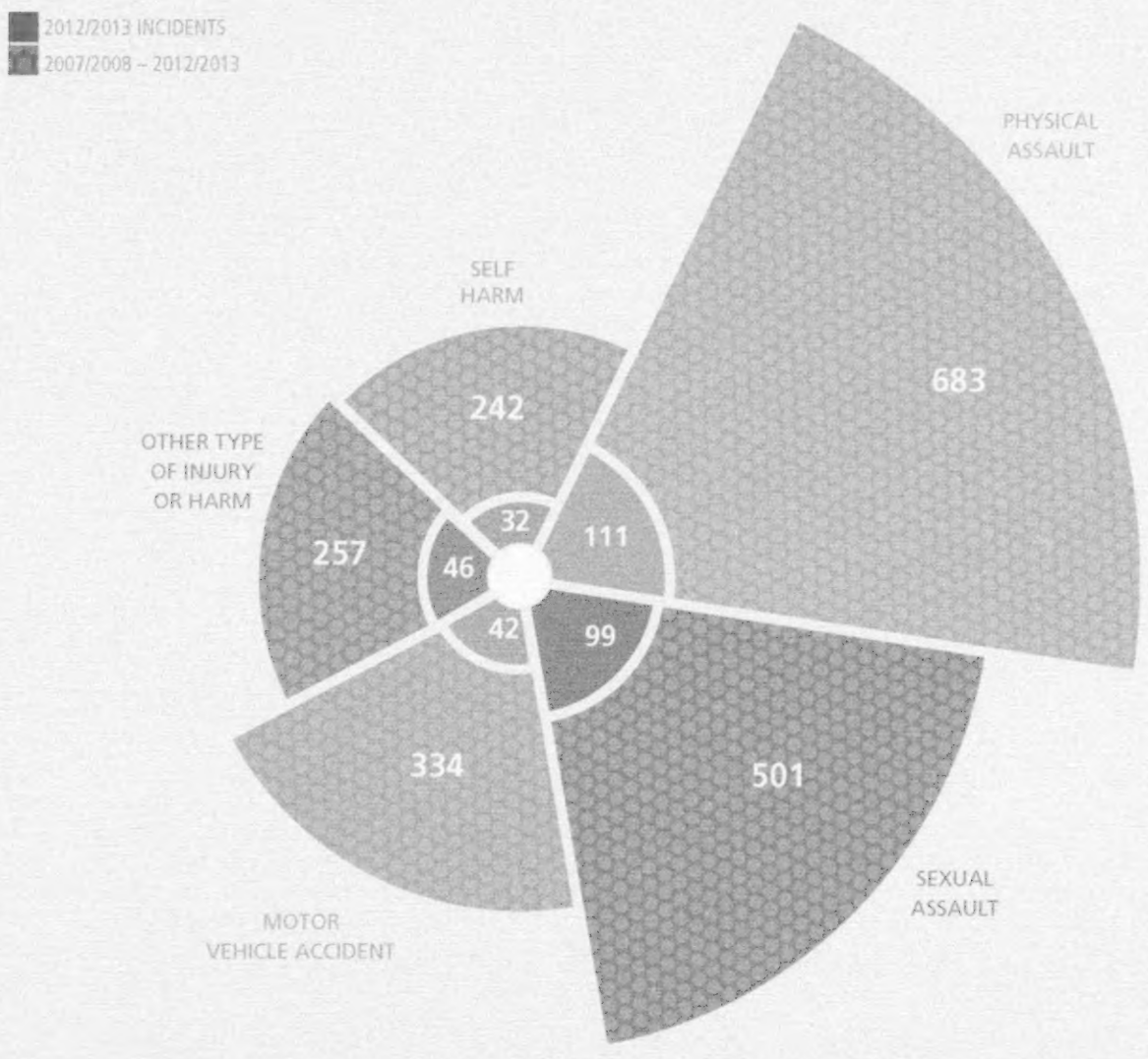
NOTE:
100% REVIEWED WITHIN 60 DAYS OF RECEIPT.

FIVE MAJOR CATEGORIES OF HARM EXPERIENCED BY CHILDREN AND YOUTH

As the Five Major Categories of Harm Experienced by Children and Youth graph demonstrates, "physical assault" is the most common type of injury reported to the PGT and the majority of those injuries were suffered by youth who were aged 15 to 18 years at the time of the incident.

The category "other type of injury or harm" includes incidents where a child or youth was hospitalized due to severe intoxication by drugs or alcohol. The category of "self harm" describes incidents where the child or youth intentionally caused self inflicted injury.

FIVE MAJOR CATEGORIES OF HARM EXPERIENCED BY CHILDREN AND YOUTH



FIVE MAJOR CATEGORIES OF ALLEGED HARMERS

The category of alleged harmers varies according to the type of injury or incident at issue. The category of "other relationship" to define an alleged harmer is applied to incidents in which there could be more than one harmer or where the alleged harmers did not fall into any other defined category. For example, the category of "other relationship" applies to alleged harmers where the incident at issue is a motor vehicle accident. This is due to the fact that when the PGT is provided with the CIR, it is not possible to determine who may be responsible for any injuries sustained by the child or youth. Most incidents of physical assaults involve an alleged harmer who falls into the category of "parent(s)" or "foster parent(s)."

FIVE MAJOR CATEGORIES OF ALLEGED HARMERS

Legal Services

The PGT provides a wide range of legal services for children in care. These services include:

- responding to notices that a continuing custody order is being cancelled;
- monitoring the administration of a deceased person's estate in which a child may have an interest;
- investigating and pursuing claims under the *Family Compensation Act* in relation to the wrongful death of a parent; and
- investigating and pursuing claims involving incidents of injury or harm to a child for which a third party may be liable.

In 2012/13, 184 new legal files were opened and 210 were concluded over the year. Legal services related to personal injury arising from sexual assault are consistently the largest category of potential civil claims, comprising 34% of legal referrals over the year.

With the introduction of automated reporting of critical incidents from MCFD/DAAs to the PGT in 2007, the number of incidents to review and analyze from a legal perspective grew from approximately 60 incidents per year to over 600. Over the last several years, the PGT has developed more efficient business processes to improve the initial analysis of potential legal claims. As a result, legal files are only opened where the PGT believes that a viable legal claim exists. Civil claims for damages often take several years to proceed through the justice system to resolution. Of the files opened from 2007/2008 – 2012/2013, 497 were still pending at March 31, 2013.

There are many potential outcomes to legal referrals. Most of the time, the legal rights and information or conduct of the ongoing legal action is transferred to the young adult when he/she turns 19. Legal actions may also result in financial recovery. Between 2007/2008 and 2012/2013, the PGT collected nearly $9 million through legal actions on behalf of children and youth, including approximately $2 million in 2012/2013.

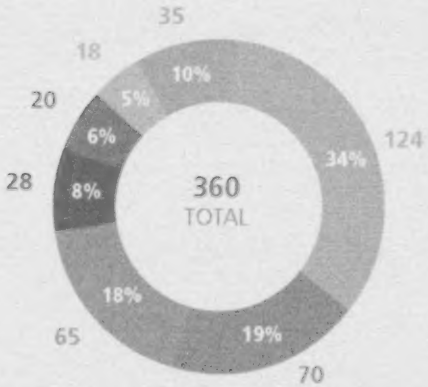
IMAGINED AS A VILLAGE OF 100 CLIENTS AS OF MARCH 31, 2013:

10 WERE INVOLVED WITH LEGAL REFERRALS

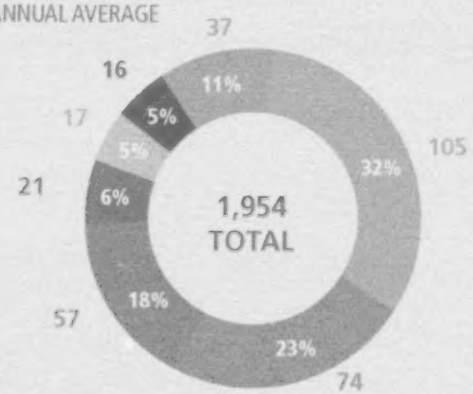
26 HAD FINANCIAL ASSETS

TYPE OF LEGAL WORK FOR PROPERTY GUARDIAN CLIENTS

2012/2013



2007/2008 – 2012/2013 ANNUAL AVERAGE

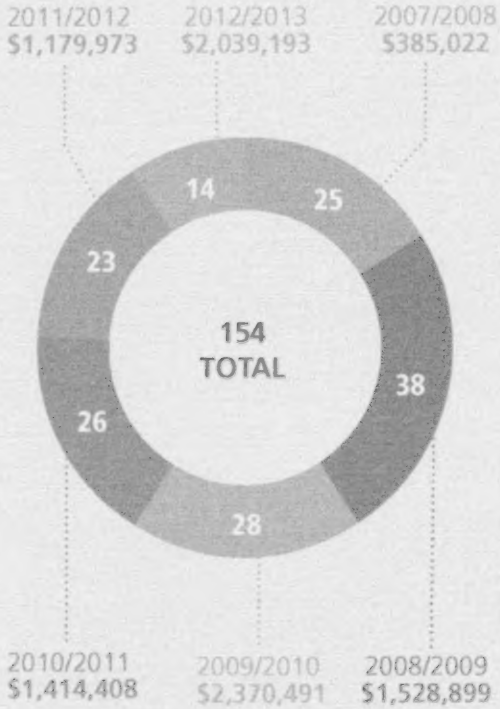


PERSONAL INJURY SEXUAL ASSAULT
PERSONAL INJURY – NON MOTOR VEHICLE ACCIDENTS
PERSONAL INJURY – MOTOR VEHICLE ACCIDENTS
FAMILY COMPENSATION ACT
WILLS AND ESTATES – OTHER
GUARDIANSHIP MINORS
OTHER LEGAL FILE CATEGORIES

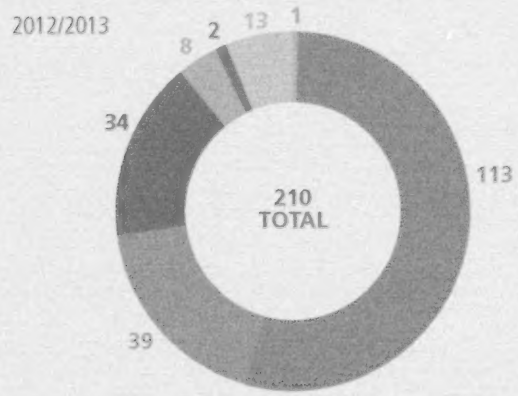
OPENED AND CLOSED LEGAL WORK FOR PROPERTY GUARDIAN CLIENTS BY YEAR

AMOUNTS COLLECTED THROUGH PROPERTY GUARDIAN LEGAL WORK

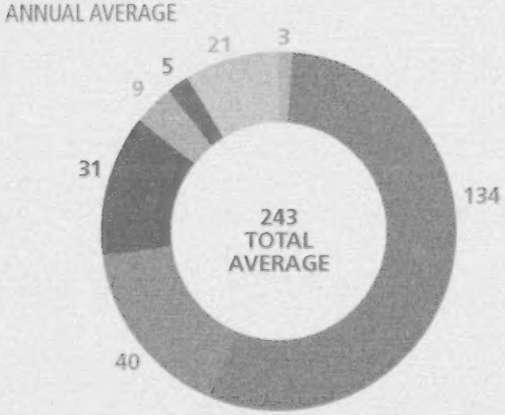
2007/2008 – 2012/2013
TOTAL AMOUNT COLLECTED
$8,917,986



OUTCOME OF PROPERTY GUARDIAN WORK



2007/2008 – 2012/2013
ANNUAL AVERAGE



TRANSITION SERVICES

PGT property guardian services continue until children and youth reach the age of 19 and are legally adults or until their continuing custody orders are terminated. The PGT's authority ends most frequently when youth reach the age of majority. On average, 80 children and youth transition out of care each month.

Where a child in care has assets, the information is shared with the child's social worker and also directly with the youth at age 17 and older. The PGT participates in transition planning conferences with the youth, their support network, social workers and other relevant service providers when a youth has assets or complicated and ongoing legal issues.

Where a youth may require ongoing support to manage his/her affairs, staff work in collaboration with the youth, the MCFD/DAAs social worker, Community Living BC (CLBC), caregivers and others to determine the level and nature of support the youth may require as an adult. In some situations, the youth may have a large sum of money and it may have been determined that he/she requires ongoing services from the PGT as an adult. In 2012/2013, the PGT was appointed to act as committee of estate under the *Patients Property Act* for nine former children in continuing care.

WHEN CHALLENGES BECOME OPPORTUNITIES

To effectively provide property guardianship services, the PGT must continuously address a variety of challenges and take advantage of emerging opportunities as they arise. On the side of challenges are several issues which the PGT has highlighted in previous reports but which to date remain largely unresolved.

ACCESS TO INFORMATION

The first of these is the continuing challenge of obtaining timely access to information and records concerning children in continuing care. The PGT must have ready access to information concerning its property guardian clients in order to fulfill its duty to protect the legal and financial interests of these children and youth.

For example, without timely access to information contained in MCFD records that a child in care has been injured in an accident, the PGT is not able to take appropriate action to assess whether the child may be entitled to compensation for injury and loss through a civil claim of damages. In cases where the government itself may potentially be at fault for injury or loss to a child in care, PGT access to records concerning the injured child becomes even more critical.

The PGT, however, is largely dependent upon the cooperation of MCFD and the DAAs to provide timely access to this essential information. This long standing challenge for the PGT of gaining appropriate and timely access to information held by MCFD and the DAAs creates the risk that the PGT will be unable to fulfill its obligations. Ultimately, the child served by the PGT and coguardians MCFD and the DAAs loses the opportunity to obtain compensation. The PGT continues to consider options to resolve this issue.

LAW REFORM

The continuing need for law reform to modernize and clearly define the powers and duties of public guardianship of children and youth is another challenge faced by the PGT. While the new

Family Law Act has clarified parental roles and duties and provided meaningful guidance to private guardians of minor children, the definition of public guardianship has not been addressed.

The existing BC statutory framework for public guardianship continues to be based on the law of England in 1660 and does not provide helpful direction regarding the nature and scope of public guardianship duties for both MCFD and the DAAs as personal guardians and for the PGT as property guardian.

Law reform is also required to address gaps between legislation and practice that have resulted in property guardian services not being available in effect to children and youth in long term care who are served outside of a continuing custody order. This number grows annually as alternative arrangements are increasingly applied to provide greater flexibility in meeting the needs of personal guardians. The PGT considers that children always require a property guardian, at the very least, to monitor their circumstances to identify issues and take appropriate action to protect their legal and financial interests.

ENHANCED TRANSITION SUPPORT

The critical importance of providing post majority support to youth in continuing care as they transition to adulthood is gaining momentum among the public, government and service providers. The PGT supports these initiatives and is exploring ways in which it can further contribute within the context of its mandate.

As the demand for post majority support activities by others increases, the PGT contributes wherever possible. The PGT participated in various cross ministry committees and collaboratives to enhance services to children and youth in care and to improve outcomes for youth leaving care. The PGT worked on the Cross Ministry Transition Planning Protocol for Youth with Special Needs seeking to improve the transition from children services to adult services, cochaired the Aboriginal Financial Literacy Committee to develop financial literacy training materials for Aboriginal people, and cochaired the RDSP Collaborative with a variety of government and non profit partners to improve the uptake of RDSPs in BC.

Financial literacy is essential to daily functioning and remains a key component of PGT activity in support of helping youth with their transition to adulthood.

The PGT objective remains that of improving the ability of youth leaving care to manage independently as young adults.

PGT IN COLLABORATION

The PGT was recently working with an Aboriginal band which was distributing funds to its members. The band decided to send the money intended for children in care to the PGT, knowing that it would be invested in a RDSP. As a result, these children's $200 investment turned into $800 in each of their RDSP accounts due to the federal government's matching grants. All of these children have disabilities and they now have an asset that will continue to grow over time.

PGT Classification of Critical Incident Reports

A.INCIDENT TYPES The PGT reviews critical incident reports from MCFD and DAAs upon receipt and categorizes the reported incident types according to classifications adapted from the extensive World Health Organization International Classification of Diseases. For more information see the complete classification system at who.int/classification/icd/en

The PGT sorts CIRs according to all of the following categories. However, for clarity in reporting, these categories are grouped to reflect the five major groupings of types of incidents that are most frequently reported, with all other incident types grouped as "other."

1. **PHYSICAL ASSAULT** – Injuries inflicted by another person with intent to injure or kill, by any means. Includes corporal punishment, assault that does not result in an injury and injuries inflicted by the police or other law enforcement agents on duty.

2. **SEXUAL ASSAULT** – Sexual assault or abuse, including rape, sexual interference, sexual touching and invitation to sexual touching, sexual exploitation or similar actions.

3. **MOTOR VEHICLE ACCIDENTS**
(includes the following incident types):

   - Motor vehicle accident – child cyclist – Child was riding on a pedal cycle and involved in a collision or non collision injury associated with a motor vehicle.
   - Motor vehicle accident – child driver – Motor vehicle accident where the child was the operator of the motor vehicle, excluding motorized bicycle.
   - Motor vehicle accident – child passenger – Motor vehicle accident where the child was a passenger in the motor vehicle.
   - Motor vehicle accident – child pedestrian – Child was a pedestrian injured in any collision or non collision traffic incident involving a motor vehicle.

4. **OTHER TYPE OF INJURY OR HARM TO CHILD**
(includes the following incident types):

   - Other type of injury or harm to child – The following are examples of incidents in this category: environmental; poisonings (accidental); foreign body; machinery in operation; overexertion; firearms; other and unspecified environmental exposures and unspecified accidental causes.

5. **SELF HARM**
(includes the following incident types):

   - Self inflicted injury – All intentionally self inflicted injuries except those resulting from suicide attempts or suicide.
   - Suicide attempts – Suicide attempts where child survived.

6. **ALL OTHER INCIDENT TYPES**
(includes the following incident types):

   - Cutting / piercing – Injury caused by cutting or piercing instrument or object. Excludes assault with a sharp object and self inflicted injury with a sharp object.
   - Death – The reported incident was that the child's death was accidental, homicide, natural death, or suicide.
   - Dog bite – Injuries resulting from a dog bite.
   - Drowning / submersion – Accidental drowning or submersion involving watercraft, fall or activity in water resulting in resuscitation / medical attention, excluding intent to self harm.
   - Fall – Falls due to accidental pushing or collision with other person, or diving or jumping into water.
   - Fire / flames / hot substances – Injuries caused by fire and flames; hot appliances, objects or liquids; steam; acid burns.

- Medical condition – Illnesses or complications arising from surgery, medical care or medical treatment, including hospitalizations due to medical illness.
- Non motor vehicle cycle accident – Child was injured in a non motor vehicle incident involving a pedal cycle including falls from bicycle.
- Physical and sexual assault – An incident where both physical and sexual assault are believed to have occurred.
- Struck by object – Child was struck by falling object, striking against or struck by persons or objects, or caught unintentionally between objects, excluding motor vehicle.
- Suffocation – Inhalation and ingestion of food or objects causing obstruction of respiratory passage, or suffocation, unintentional mechanical suffocation, and smothering or choking.

B. ALLEGED HARMERS This category identifies the relationship to the child of the person alleged to have harmed the child (intentionally or by accident). This category does not include agencies that may have a legal responsibility to care for the child (e.g., MCFD or DAA). It was adapted from the extensive International Classification of External Causes of Injuries. For more information, see the complete classification at: rivm.nl/who-fic/ICECI/ICECI_1-2_2004July.pdf

The PGT sorts alleged harmers according to all of the following categories. However, for clarity in reporting, these categories are grouped to reflect the five major groupings of types of alleged harmers that are most frequently reported, with remaining categories of alleged harmers grouped as "all other alleged harmers."

The alleged harmer category of relationships includes:

1. **Other relationship**
   includes incidents in which there could be more than one harmer or where the alleged harmers did not fall into any other defined group
2. **Other friend(s) / acquaintance(s)**
   (does not include intimate partners)
3. **Foster parent(s)**
4. **Relationship not known**
5. **Parent(s)**
6. **All other alleged harmers:**
   (includes the following categories)
   - Another child(ren) in care
   - Boyfriend / girlfriend / spouse – includes intimate partner(s)
   - Other relative(s)
   - Person(s) in official or legal authority – includes: teachers, church ministers, sports coaches, police, guards, etc.
   - Stranger(s)
   - Unrelated caregiver(s) – includes child care provider(s)

PUBLIC GUARDIAN
AND TRUSTEE OF
BRITISH COLUMBIA

For additional information regarding the PGT please contact us:

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Vancouver, BC V6C 3L3
Tel: 604.660.4444
Fax: 604.660.0374
Email: info@trustee.bc.ca

Toll free calling is available through Service BC. After dialing the appropriate number for your area, request to be transferred to the **Public Guardian and Trustee**:

Vancouver: 604.660.2421
Victoria: 250.387.6121
Other areas of BC: 800.663.7867

www.trustee.bc.ca